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1 2	FOLGER LEVIN & KAHN LLP Roger B. Mead (CSB No. 093251, rmead@flk.com) Karen J. Petrulakis (CSB No. 168732, kpetrulakis@flk.com)		
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5	San Francisco, CA 94111 Telephone: (415) 986-2800 Facsimile: (415) 986-2827		
6	Attorneys for Defendants RENN TRANSPORTATION COMPANY,		
7	BRAD RENN, PATRICIA RENN, ANN RENN AND ROBERT RENN		
8	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA		
9			
10	SAN JOSE DIVISION		
11			
12	CATERPILLAR, INC., a Delaware	Case No. 5:06-cv-04529-JW	
13	Corporation,	STIPULATION AND [PROPOSED]	
14	Plaintiff,	ORDER SELECTING ADR PROCESS	
15	V.		
16	RENN TRANSPORTATION COMPANY, a California General Partnership, BRAD		
17	RENN, GERALD RENN, PATRICIA RENN, ANN RENN, AND ROBERT RENN, individuals, and DOES 1-10,		
18			
19	Defendants.		
20	COUNSEL HEREBY REPORT that they have met and conferred regarding ADR and		
21	have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5.		
22	IT IS HEREBY STIPULATED AND AGREED that the parties will participate in the		
23	Court's mediation program pursuant to ADR L.R. 6. However, the parties are still considering		
24	the possibility of utilizing a private mediation service, and will advise the Court should the parties		
25	later agree upon a private mediator as an alternative to the Court's mediation program.		
26	//		
27	//		
28	//		
FOLGER LEVIN & KAHN LLP ATTORNEYS AT LAW		STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS; CASE NO. 5:06-CV-04529-JW	

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1	IT IS FURTHER STIPULA	ATED AND AGREED that the parties will participate in the
2	aforementioned ADR process with	in 90 days from the date of the Court's Order referring the case
3	to an ADR process.	
4		
5	Dated: November 6, 2006	FOLGER LEVIN & KAHN LLP
6	Dated. November 6, 2000	POLOEK LEVIN & KAIIN ELP
7		/s/ Karen J. Petrulakis Karen J. Petrulakis
8		Attorneys for Defendants
9		Renn Transportation Company, Brad Renn, Patricia Renn, Ann Renn and Robert Renn
10		
11		
12	Dated: November 6, 2006	SEDGWICK, DETERT, MORAN & ARNOLD LLP
13	,	
14		/s/ Randall G. Block Randall G. Block
15		Attorneys for Plaintiff Caterpillar, Inc.
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28		STIPULATION AND [PROPOSED]
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FOLGER LEVIN KAHN LLP ATTORNEYS AT LAW

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1	[PROPOSED ORDER
2	This Stipulation and [Proposed] Order Selecting ADR Process is hereby adopted by the
3	Court, and the parties are ordered to participate in the Court's mediation program pursuant to
4	ADR L.R. 6.
5	IT IS SO ORDERED.
6	Dated: November 14, 2006
7	The Honorable James Ware United States District Court Northern District of California
8	Northern District of California
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1 2	ATTESTATION OF SIGNATURE (N.D. Cal. General Order No. 45)
3	(11.2. Call General Grace 110. 15)
4	I, Karen J. Petrulakis, hereby attest that concurrence in the filing of the <i>Stipulation and</i>
5	[Proposed] Order Selecting ADR Process has been obtained from Randall G. Block, attorney for
6	Plaintiff Caterpillar, Inc.
7	
8	Dated: November 6, 2006 FOLGER LEVIN & KAHN LLP
9	/s/ Karen J. Petrulakis
10	Karen J. Petrulakis Attorneys for Defendants Renn Transportation Company, Brad Renn, Patricia
11	Renn, Ann Renn and Robert Renn
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